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In re Application of :
NABEYA, et al. :
U.S. Application No.: 10/562,877 :
PCT No.: PCT/JP04/10364 : DECISION ON PETITION
Int. Filing Date: 14 July 2004 :
Priority Date: 16 July 2003 : UNDER 37 CFR 1.182
Attorney's Docket No.: 2005-2017A :
For: POLISHING APPARATUS :

This decision is in response to applicant's "Petition Under 37 CFR 1.182 to Correct an International Application Number" filed 19 January 2005 in the United States Patent and Trademark Office (USPTO) to correct the error in the Transmittal Letter (Form PTO-1390) filed 29 December 2005.

BACKGROUND

On 14 July 2004, applicant filed international application PCT/JP04/10364, which claimed priority of an earlier Japanese application filed 16 July 2003. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 27 January 2005. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 16 January 2006.

On 29 December 2005, applicant filed a transmittal letter for entering the U.S. national stage under 35 U.S.C. 371 accompanied by: payment of the U.S. Basic National Fee; an English translation of the International Application; an executed combined declaration and power of attorney; an Information Disclosure Statement and an assignment document. The transmittal letter identified the international application number as PCT/JP2004/013064.

On 19 January 2006, applicant filed the present petition under 37 CFR 1.182.

DISCUSSION

The identifying information provided on the transmittal letter filed by applicant on 29 December 2005, i.e., the title, applicant-inventor information, priority date, and international filing date all correspond to that of PCT/JP04/10364. In addition, the filed declaration identifies the international application as PCT/JP04/10364. For these reasons, as well as the explanation provided in the present petition, it has been concluded that the national stage papers filed 29

December 2005 sufficiently identified international application PCT/JP04/10364. Pursuant to petitioner's request, the national stage papers assigned U.S. application number 10/562,877 will be treated as a U.S. national stage submission for PCT/JP04/10364.

CONCLUSION

For the reasons above, applicant's "Petition Under 37 CFR 1.182" is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of U.S. application number 10/562,877 as the U.S. national stage application of PCT/JP04/10364; specifically, the preparation and mailing of a "Notification of Acceptance" (Form PCT/DO/EO/903) indicating that the present application is the U.S. National stage entry for international application PCT/JP04/10364.



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